

REMARKS

A. Status of the Claims / Explanation of Amendments

At the outset, Applicant wishes to express appreciation for the indication of allowable subject matter in claim 2. [Office Action at p. 5].

Claims 1-7 are pending. Claims 1 and 3-7 are rejected. By this paper, claims 2, 4 and 7 are canceled without prejudice or disclaimer. Claims 1 and 5 are amended. No new matter has been added by this paper.

Claims 1 and 5 are amended to correct informalities. The objections to claims 1 and 5 should be withdrawn.

B. Rejections

The Office Action of January 10, 2008 (“office action”) rejected claim 4 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. The office action rejected claims 1, 3, and 5-7 under 35 U.S.C. § 102(e) as allegedly being anticipated by United States Patent No. 6,753,844 to Machida (“Machida”).

As indicated above, claims 2, 4 and 7 are canceled rendering the rejections directed to these claims moot.

Each of independent claims 1 and 5 is amended to recite the allowable features of claim 2, i.e., wherein the second and third states created by applying DC voltage having an identical absolute value are substantially the same visual recognition state.

Accordingly, each of claims 1 and 5 is also believed allowable for at least the similar reasons for claim 2.

Reconsideration and withdrawal of the rejections of claims 1 and 5 under 35 U.S.C. §102(e) is respectfully requested.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Additionally, Applicant has not specifically addressed the rejections of the dependent claims. Applicant respectfully submits that the independent claims 1 and 5, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address rejections of the dependent claims in the future as appropriate.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

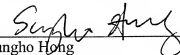
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 1232-5642. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 1232-5642. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: April 8, 2008

By: _____


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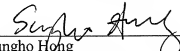
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